

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
NORTHERN DIVISION

In the Matter of the Complaint of
Serodino, Inc., Owner and Operator
of the M/V BEARCAT, for Exoneration
from or Limitation of Liability.

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No. 3:09-cv-609

**ORDER APPROVING AD INTERIM STIPULATION FOR VALUE,
DIRECTING ISSUANCE OF NOTICE, AND RESTRAINING SUITS**

Petitioner, Serodino, Inc., owner and operator of the M/V BEARCAT, having on the 24th day of December, 2009 filed a complaint for exoneration from or limitation of liability in respect to any loss, injury, or death arising out of an incident which occurred on or about June 26, 2009 when the M/V BEARCAT was involved in a collision with a fishing boat occupied and operated by Jones Bower Bare at or near Mile 591 on the Tennessee River in Loudon County, Tennessee, having stated in its complaint the facts and circumstances upon which exoneration from or limitation of liability is based, having prayed a value of Serodino, Inc. interest in the M/V BEARCAT, and having filed affidavit of value and an ad interim stipulation for value in the amount of the value of the vessel, and costs, desires to obtain an order approving the ad interim stipulation for value, directing issuance of notice, and restraining suits;

Now on the proceedings heretofore had herein, and on verified pleadings and affidavits which have been duly filed in this proceeding from which it appears that the value of Serodino, Inc.'s interest in the M/V BEARCAT on or about June 26, 2009 did not exceed the sum of \$1,100,000.00;

And, upon receiving an ad interim stipulation for value by approved sureties in the total amount of \$1,100,000.00, which is equal to the sum of Serodino, Inc.'s interest in the M/V

BEARCAT, and costs;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the tendered ad interim stipulation is hereby approved as adequate security and that a notice shall be issued out of and under the seal of this Court in the form attached to this Order directed toward all claimants claiming damage for any and all losses, injuries, or death arising out of or occurring by reason of the incident which occurred on or about June 26, 2009 when the M/V BEARCAT was involved in a collision with a fishing boat occupied and/or operated by Jones Bower Bare at or near Mile 591 on the Tennessee River in Loudon County, Tennessee, as described in said complaint, citing them and others to appear before this Court and file their claims with the clerk of the Court in writing, under oath, and to serve copies thereon on the attorney for Serodino, Inc. on or before MARCH 15, 2010, and directing any person, firm, corporation, or entity, private or public, claiming damages as aforesaid, who shall desire to contest the claims of Serodino, Inc. to answer said complaint; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that public notice shall be given by publication thereof in the Knoxville News Sentinel published in the City of Knoxville, Tennessee as provided by Rule F(4) of the Supplemental Rules for Certain Admiralty and Maritime Claims, and Serodino, Inc. shall also mail, not later than the day of the second publication, a copy of the public notice to every person, firm, or corporation known to have made a claim against the M/V BEARCAT and/or Serodino, Inc. arising out of the voyage or trip on which the claims sought to be limited arose; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a restraining order is hereby issued from this Court restraining and enjoining all claims and proceedings against the

M/V BEARCAT and/or Serodino, Inc., its officers, agents, representatives, servants, employees, and affiliated companies, and any other person or entity whatsoever for whom Serodino, Inc. may be responsible, in any court whatsoever, except in this proceeding for limitation, in respect to any matter arising out of and/or in conjunction with the aforesaid incident on or about June 26, 2009 and providing that any pending actions against the M/V BEARCAT and/or Serodino, Inc., its officers, agents, representatives, servants, employees, and affiliated companies, and any other person or entity whatsoever for whom Serodino, Inc. may be responsible, shall cease and that the Court enjoins the further prosecution of any action or proceeding against the M/V BEARCAT and/or Serodino, Inc., its officers, agents, representatives, servants, employees, and affiliated companies, and any other person or entity whatsoever for whom Serodino, Inc. may be responsible, with reference to any claim arising out of or connected with the aforesaid incident.

This the 21st day of JAN, 20 10.

Thomas H. Phillips

United States District Judge

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